

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & CAD Department – Allegation of acquisition of assets disproportionate to the known sources of his legal income against Sri K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Bank Canal, Tekulapally, Khammam District and presently working as Chief Engineer, Godavari Lift Irrigation scheme (GLIS)., Warangal – Departmental action initiated under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 – Further action dropped – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Rt.No. 811 .

Dated 17-07-2012.

Read the following:-

1. From the Deputy Superintendent of Police, Anti-Corruption Bureau, Visakhapatnam, A.P. Police Dept. Message dated 06.02.2008.
2. G.O.Rt.No.311, Irrigation & C.A.D. (IW:Ser.VI-1) Department, dated 10.03.2008.
3. G.O.Rt.No.67, Irrigation & C.A.D. (IW:Ser.VI-1) Department, dated 16.01.2009.
4. From the Director General, Anti-Corruption Bureau, Hyderabad, Letter No.20/RCA-WVP/2008-S11, dated 07.09.2009.
5. G.O.Rt.No.1810, Irrigation & C.A.D. (IW:Ser.VI-1) Department, dated 27-11-2009.
6. From Sri K. K. Sudheer, Chief Engineer, CADA, Irrigation & CAD Department, Hyderabad, written statement of self defence, dated 08-01-2010.
7. G.O.Rt.No.1224, Irrigation & CAD (IW:Ser.VI(1) Department, dated 07-12-2011.
8. From Sri K. Pradeep Chandra, I.A.S., Commissioner of Inquiries, General Administration Department, D.O. Letter No.378/COI-KPC/A1/2011, dated 17.04.2012.
9. Govt.Memo.No.4366/Ser.VI-1/2008-22, dated 04.06.2012.
10. From Sri. K. Sudheer, Chief Engineer, Godavari Lift Irrigation Scheme (GLIS), Warangal representation dated 15.06.2012.

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ORDER:

Whereas, it has been brought to the notice of the Government that a Disproportionate Assets case was registered by the Investigating Agency against Sri. K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Canal, Tekulapally, Khammam District, as he had acquired assets disproportionate to the known sources of his legal income vide reference 1st read above. The accused officer was arrested on 06.02.2008 at 18.00 hours. Accordingly, in the reference 2nd read above, orders were issued, placing Sri. K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Canal, Tekulapally, Khammam District under deemed suspension with effect from the date of detention i.e. 06.02.2008 under sub-rule (2) of rule 8 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 until further orders.

2. In the reference 3rd read above, orders were issued, reinstating Sri. K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Canal, Tekulapally, Khammam District into service and posted him to a far off place i.e., a non-focal post, without prejudice to the disciplinary case pending against him.

3. In the reference 4th read above, the Director General, Anti-Corruption Bureau, Hyderabad in his Final Report has recommended to initiate departmental action against Sri K.Sudheer, Superintending Engineer.

(P.T.O.)

4. In the reference 5th read above, departmental action was initiated against Sri K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Bank Canal, Tekulapally, Khammam District by issuing of Articles of Charges framed against him.

5. In reference 6th read above, Sri. K. Sudheer, Chief Engineer, CADA, Irrigation & CAD Department, Hyderabad has submitted his written statement of self defence, denying the charges framed against him.

6. In the reference 7th read above, orders were issued, appointing Sri. K. Pradeep Chandra, I.A.S., Commissioner of Inquiries as Inquiring Authority in place of Sri. Janak Raj, I.P.S. (Retd.), Commissioner of Inquiries, to inquire into the charges framed against Sri. K. Sudheer, formerly Superintending Engineer, N.S.L.B.C., Tekulapally, Khammam District.

7. In the reference 8th read above, Sri. K. Pradeep Chandra, I.A.S., Commissioner of Inquiries & Inquiring Authority has furnished his Inquiry Report, holding that Charges I to V were not proved in the inquiry.

8. After careful examination of the report of the Inquiring Authority, Government have disagreed with the findings of the report of Inquiring Authority for the following reasons:

“The findings of the Inquiring Authority against Charge-III appear to be in order. In respect of Charge-III, the Inquiring Authority banks upon his personal biases and conjectures, and not upon the hard evidence, to hold the charge as “not proved”. The Inquiring Authority said that more than 50% of Government Employees do not regularly submit their Annual Property Returns and therefore, this act of omission does not constitute misduct. This appears to be flawed logic”.

Accordingly, in the reference 9th read above, while enclosing a copy of the report of Inquiring Authority under Rule 21 (2) of A.P. Civil Services (CC & A) Rules, 1991 along with disagreement factors, the Charged Officer Sri. K. Sudheer, Chief Engineer, Godavari Lift Irrigation Scheme (GLIS), Warangal was directed to submit his representation within (15) days for taking necessary further action in the matter.

9. In the reference 10th read above, Sri K.Sudheer, Chief Engineer, Godavari Lift Irrigation Scheme (GLIS), Warangal in his representation has stated among other things and informed that as seen from Ex.P1 and the evidence of P.W.6, it is evident that his Annual Property Returns for the period mentioned therein were not traced. Further, as deposed by P.W.6, no memo., was given to him directing him to submit his Annual Property Returns for the above period. Therefore, it is obvious that his Annual Property Returns have been regularly received, but misplaced. Non tracing of his Annual Property Returns in the Office of the Engineer-in-Chief, in all fairness, cannot be construed as non submission of Annual Property Returns by him. He has requested to consider his case sympathetically and drop further action against him in respect of Charge-III in the interest of justice.

10. After careful examination of the matter, Government have observed that since there is evidence to the fact that the accused officer was accorded permission for the acquisition/disposal of properties by the Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad across the years, and since there is proof that at least some of the Annual Property Returns said to have been not submitted, were in fact submitted by the accused officer to the competent authority through proper channel. Therefore, Government have decided to drop further action against Sri K. Sudheer, formerly Superintending Engineer,

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Nagarjuna Sagar Left Bank Canal, Tekulapally, Khammam District and presently working as Chief Engineer, Godavari Lift Irrigation scheme (GLIS)., Warangal. Accordingly, it is hereby order to drop further action against Sri K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Bank Canal, Tekulapally, Khammam District and presently working as Chief Engineer, Godavari Lift Irrigation scheme (GLIS)., Warangal.

11. The Engineer-in-Chief (AW), Hyderabad shall take necessary further action in the matter accordingly and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SHAIENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K. Sudheer, formerly Superintending Engineer, Nagarjuna Sagar Left Bank Canal, Tekulapally, Khammam District and presently working as Chief Engineer, Godavari Lift Irrigation scheme (GLIS)., Warangal through the Engineer-in-Chief (AW), I & CAD Dept., Hyderabad.

The Engineer-in-Chief (AW), Irrigation & CAD Dept., Hyderabad.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission,

A.P. Vigilance Commission, Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER